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Attorneys for Plaintiff Pacific Information Resources, Inc.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

Pacific Information Resources, Inc., a
 California Corporation,

Plaintiff,

vs.

SIMPLE COMMUNICATIONS, an Alabama
 corporation; WILLIAM TRAVIS SULLIVAN,
 individually, AND DOES 1 through 100,
 inclusive, WHOSE IDENTITIES ARE
 UNKNOWN,

Defendants.

CASE NO. CV-07-4131 MMC

**[Before the Honorable Maxine M.
 Chesney, Courtroom 7]**

**PLAINTIFF'S REQUEST TO
 CONTINUE DATE FOR FILING
 MOTION FOR DEFAULT JUDGMENT
 AGAINST WILLIAM TRAVIS
 SULLIVAN AND SIMPLE
 COMMUNICATIONS**

Complaint Filed: August 9, 2007
 Discovery Cut-Off: N/A
 Trial: N/A
 Status Conference: February 8, 2008

**TO THIS HONORABLE COURT AND ALL PARTIES AND THEIR
 ATTORNEYS OF RECORD HEREIN:**

Plaintiff Pacific Information Resources, Inc. ("Plaintiff" or "Pacific") hereby requests a
 continuance of the Court to *complete filing* its Default Judgment Application on February 28,
 2008 instead of on February 27, 2008. Plaintiff makes this request on the basis of good cause:

1. Plaintiff's Counsel has already filed and caused to be delivered to Judge's
 Chambers the following documents:

1
Request to Continue Date for Filing Motion for Default Judgment

Case No. CV-07-4131

pacific information resources\pleadings\sullivan and simple communications\req to cont date for def judg final as filed 02 28 08

- a. Plaintiff's Notice of Application and Application for Default Judgment;
- b. Plaintiff's Request for Judicial Notice;
- c. Declaration of Tim Koster, President of Plaintiff Pacific;
- d. Expert Declaration of Prof. Ran Hadas;
- e. Expert Declaration of Hayden Bond;
- f. [Proposed] Order—*this was "lodged", not filed.*

Plaintiff's counsel ***will complete by today*** filing and forwarding by messenger to chambers the following documents:

- a. Plaintiff's Memorandum of P's & A's;
- b. Declaration of Konrad Trope.

2. Pulling together all of the documents and voluminous data necessary to support the Default Judgement has *required far more time than ever anticipated. Plaintiff's counsel is being extra careful as the Application seeks damages in excess of \$19 million!*

3. ***Counsel for Plaintiff has spent considerable time being certain that the analysis is solid and will sustain any review by the Court.***

Plaintiff's counsel humbly apologizes to the Court and begs the Court's indulgence *this one last time*. Plaintiff's counsel has three Motions for Summary Judgment to file with this Honorable Court on March 21, 2008 in a related case. Thus, Plaintiff's counsel is thus quite desirous and confident of completing this default application, in particular, the last two remaining pleadings, later today.

1 There will be no prejudice to any party who has direct or related interest in this case,
2 including those parties who are Defendants in the related case noted herein.

3 Respectfully submitted,

4 DATED: February 28, 2008

NOVO LAW GROUP, P.C.

5 BY: /s/Konrad L. Trope, Esq.
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7 Novo Law Group, P.C.
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13 Attorneys for Plaintiff PACIFIC
14 INFORMATION RESOURCES,
15 INC.

16 **[PROPOSED] ORDER**

17 Plaintiff Pacific Information Resources has hereby requested continuance to file its
18 Defaults Judgment Application against Defendants William Travis Sullivan and Simple
19 Communications to _____, 2008.

20 Having considered the requested extension, good cause appearing, therefore, and no
21 prejudice any parties appearing, IT IS HEREBY ORDERED that:

22 Plaintiff shall file its Application for Default Judgment not later than _____, 2008

23 Dated: _____

24 Honorable MAXINE M. CHESNEY
25 United States District Judge

PROOF OF SERVICE

I am employed in the County of Orange, State of California in the office of a member of the Bar of this Court at whose direction this service was made. I am over the age of 18 and not a party to the within action; my business address is: **4631 Teller Avenue, Suite 140, Newport Beach, California 92660.**

On **February 28, 2008**, I served the foregoing document described as:

**REQUEST TO CONTINUE DATE FOR FILING MOTION FOR
DEFAULT JUDGMENT AGAINST WILLIAM TRAVIS SULLIVAN AND
SIMPLE COMMUNICATIONS**

on the interested parties in this action by placing ☐ the original ☒ a true copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

XX BY MAIL: I deposited such envelope in the mail at Newport Beach, California. The envelope was mailed with postage thereon fully prepaid. I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. It is deposited with the United States Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one (1) day after date of deposit for mailing in affidavit.

BY PERSONAL SERVICE: I caused such envelope to be delivered by hand to the addressee at the address on the attached Mailing List.

BY FEDEX: I deposited such envelopes at Irvine, California for collection and delivery by Federal Express with delivery fees paid or provided for in accordance with ordinary business practices. I am "readily familiar" with the firm's practice of collection and processing packages for overnight delivery by Federal Express. They are deposited with a facility regularly maintained by Federal Express for receipt on the same day in the ordinary course of business.

BY FACSIMILE: I transmitted the foregoing document by facsimile to the party(s) identified above by using the facsimile number(s) indicated. Said transmission(s) were verified as complete and without error.

BY INTERNET/E-MAIL: I transmitted the foregoing document by e-mail to the party(s) identified above by using the Internet Protocol Addresses indicated. Said transmission(s) were verified as complete and without error.

BY INTERNET/E-MAIL WITH CLERK OF THE COURT: I certify that on 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing as indicated on the attached Mailing List.

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **February 28, 2008**, at Newport Beach, California.

/s/
J. Renée Nordyke

SERVICE LIST:

Pacific Information Resources v Simple Communications, et. al.
Case No. C-07-4131 MMC

VIA U.S. MAIL

William Travis Sullivan
4931 Mason Road
Clayton, Washington 99110

Simple Communications
4931 Mason Road
Clayton, Washington 99110

Simple Communications
701 22nd Avenue
Tuscaloosa, Alabama 35401